Amendments to the Claims:

This listing of claims will replace all prior versions, and listings, of claims in the application:

Listing of Claims:

Please amend claims 1 and 11.

1. (Currently Amended) A positive active material for a rechargeable lithium battery comprising:

lithium nickel manganese oxides comprising $Li_{1.03}Ni_{0.8}Mn_{0.2}O_2$; and

lithium manganese oxides,

wherein a weight ratio of lithium manganese oxides to the lithium nickel manganese oxides ranges from about 4:6 to about 1:9, providing an excess of lithium nickel manganese oxides.

2. (Previously Presented) The positive active material of claim 1 wherein the lithium nickel manganese oxides is $Li_xNi_{1-y}Mn_yO_{2+z}$ ($0 < x < 1.3$, and $0.1 \leq y \leq 0.5$, $0 \leq z \leq 0.5$).

3. (Original) The positive active material of claim 1 wherein the lithium manganese oxides is $Li_{1+x'}Mn_{2-x'}O_{4+z}$ ($0 \leq x \leq 0.3$, and $0 \leq z \leq 0.5$).

4. (Original) The positive active material of claim 1, wherein the mixing ratio of the lithium nickel manganese oxides and lithium manganese oxides is 90 to 60 : 10 to 40 wt%.

5. (Canceled).

6. (Canceled).

7. (Canceled).

8. (Canceled).

9. (Canceled).

10. (Canceled).

11. (Currently Amended) A rechargeable lithium battery comprising:

a positive electrode comprising:

a positive active material comprising a mixture of lithium nickel cobalt oxides and lithium manganese oxides, the weight ratio of the lithium manganese oxides to the lithium nickel cobalt oxides being less than 1:1, wherein the lithium manganese oxides and the lithium nickel cobalt oxides remain distinct chemical species and are bonded together by a trace amount of a polymeric first binder ~~adapted to be evaporated~~,

a second binder; and

a conductive agent;

a negative electrode; and

an electrolyte.